

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED PARCEL SERVICE, INC., :
Plaintiff, : Civil Action No.
: 1:12-cv-07961-SAS
: .
-against- :
: .
LEXINGTON INSURANCE COMPANY, :
: .
Defendant. :
-----x

**DECLARATION OF J. GREGORY LAHR IN SUPPORT OF
DEFENDANT LEXINGTON INSURANCE COMPANY'S OPPOSITION
TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

J. GREGORY LAHR, pursuant to 28 U.S.C. § 1746(2), declares under penalty of perjury that the following is true:

1. I am a member of the firm of Sedgwick LLP, attorneys for Defendant Lexington Insurance Company (“Lexington”). I am fully familiar with the facts and circumstances of this matter.

2. I submit this Declaration and exhibits annexed hereto in support of Lexington’s opposition to Plaintiff United Parcel Service, Inc.’s (“UPS”) motion for partial summary judgment.

3. A true and correct copy of UPS’ Responses to Defendant’s First Request for Production of Documents is attached hereto as Exhibit A.

4. A true and correct copy of Liberty Mutual Insurance Company (“Liberty Mutual”) Commercial General Liability Policy No. TB1-C21-004175-289 (the “Liberty Policy”), produced as part of UPS’ Responses to Defendant’s First Request for Production of Documents, is attached hereto as Exhibit B.

5. A true and correct copy of the complete deposition of Marilyn Chase dated February 8, 2012, is attached hereto as Exhibit C.

6. A true and correct copy of the complete deposition of Martial Pamphile dated May 23, 2012, is attached hereto as Exhibit D.

Dated: New York, New York
July 23, 2013

I declare under penalty of perjury that the foregoing is true and correct.

/s/ J. Gregory Lahr
J. Gregory Lahr (JL-9969)